

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

U.S. DISTRICT COURT  
PORTLAND, MAINE  
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2012 SEP 14 A 11: 56

UNITED STATES OF AMERICA )

v. )

JONATHAN FENTON )

Case No. 2:12-cr-152-NT  
(18 U.S.C. §§ 2252A(a)(1), (b)(1);  
2256(8)(A))

**PROSECUTION VERSION**

If this case were to proceed to trial, the Government would prove the following facts through witness testimony and physical evidence.

As part of an undercover investigation, Federal Bureau of Investigation (FBI) Task Force Officer (TFO) Rudman assumed an online username on a publically available peer-to-peer (P2P) file-sharing network. On April 12, 2011, TFO Rudman received a friend request from username "someone9423" to the undercover username used by TFO Rudman. TFO Rudman accepted the friend request from "someone 9423.

On April 13, 2011, TFO Rudman signed on to the P2P network using the previously mentioned undercover username and connected to the user "someone9423." Then TFO Rudman, using his undercover on-line identity, selected and downloaded three video and two picture files from the shared folder "TW." One of these files was named "Little 8YO Preteen Boy Sucks 9YO Friend As They Both Jack Daddy – Kdv Rizmasta Rizmaster Pjk Rbv Pthc Pedo Kiddy R@Ygold Cp Boys Preteens (1)." This image depicts a shirtless prepubescent male whose mouth is around a nude prepubescent male's penis. In the image, both prepubescent males are touching another male's penis. A copy of this image is attached under seal as Exhibit 1.

At approximately 11:57 a.m. on April 13, 2011, TFO Rudman, using his undercover on-line identity, selected and downloaded one (1) video from the shared folder "TW." The folder "TW" was 19.39 gigabytes and most if not all the files in the folder had child pornography terms in the file names, such as "jacks bro off. . .," "Dad cums in boy," and "! Best from boy porn ...."

An administrative subpoena was served on Time Warner Communications for the IP address associated with the above interaction, and the response indicated the user of the IP account at the relevant dates and times was the Defendant's mother at her address in Portland. The Defendant resided in that home during the relevant dates and times. A federal search warrant was ultimately executed at the defendant's house on July 7, 2011, by FBI Special Agent Patrick Clancy and other law enforcement officers. Among other items, Agents seized a Lenovo Thinkpad Laptop and a Maxtor Personal Storage 3200 external hard drive.


The Defendant was present during the search and agreed to speak with the officers. The Defendant stated he first became involved with child pornography approximately one and one-half years prior to the date of the execution of the search warrant. The Defendant admitted he downloaded and traded child pornography on the internet via Skype and Gigatribe, a peer-to-peer file sharing program. Fenton acknowledged his username on Gigatribe and Skype was "someone9423." The Defendant stated that one of the folders on his computer in which he maintains child pornography is entitled "TW," and is located in the F: drive.

FBI certified forensic analyst Joseph Friesen conducted a forensic analysis of the Defendant's hard drive. The Defendant possessed over 400 videos and 15,000 images of child pornography. The hard drive has a label indicating it was "Assembled in China."

Dated: September 14, 2012

Respectfully submitted,

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